

## EXHIBIT 8

### GOVERNMENT EFFORTS TO OBTAIN PUBLIC INPUT IN CONNECTION WITH THE GE-PITTSFIELD/HOUSATONIC RIVER SITE

The following is a **partial listing of the** opportunities for public participation afforded by the governments over the past **several years with** respect to the **GE-Pittsfield/Housatonic River Site** ("Site").

-EPA, since the early **1990's**, has maintained four information repositories at which Site-related documents can be reviewed by the public. Those information repositories are at the following locations: **Lenox** Public Library, **Lenox**, Massachusetts; Berkshire Athanaeum Public Library, Pittsfield, Massachusetts; Simon's Rock College of Bard, Great Barrington, Massachusetts; and Berkshire County Regional **Planning** Commission, Pittsfield, Massachusetts. **In** addition to these four repositories, as described below, EPA has placed for public review the proposed Consent Decree and its Appendices in several additional locations in Massachusetts and Connecticut.

-**In** September 1996, CTDEP developed a preliminary list of remediation alternatives for use in the natural resource damage settlement negotiations. This preliminary list was compiled from intra-Departmental resource management plans developed in coordination with various public advisory committees.

-In July of 1997, EPA's Regional Administrator and **MADEP's** Commissioner met with constituent groups about PCB contamination at the Site. Generally, the constituent groups would include environmental leaders, community activists, and business leaders.

-In August 1997, EPA issued a press statement from the Regional Administrator announcing that EPA would start the process **for** including the Site on EPA's National Priorities List ("NPL"), and would also start negotiating with GE.

-In August 1997, EPA and MADEP held a public meeting to discuss issues related to properties contaminated by **PCBs** in till material received from GE ("residential fill" properties).

-On August 7, 1997, EPA and MADEP released a fact sheet with Questions and Answers on residential till issues.

-**In** Fall 1997, EPA opened a satellite **office** in Pittsfield and began Wednesday morning **office** hours to increase **EPA/DEP** staff availability for residents dealing with the contaminated residential till issue. The weekly **office** hours continued through the summer of 1998.

-In Fall 1997, Industrial Economics Incorporated ("IEc") held a series of twelve Housatonic River public opinion and angler focus group meetings; **the** meetings solicited from the public, among other things, settlement options to resolve natural resource damage claims **associated** with the Housatonic River.

-In Fall 1997, CTDEP initiated a dialog with individuals and non-governmental organizations (e.g. Housatonic Valley Association, Trout Unlimited, Housatonic Fly Fisherman's Association) regarding the development of settlement options to resolve natural resource damage claims associated with **the Housatonic River**.

-In October 1997, EPA issued a letter from EPA Regional Administrator and MADEP Commissioner to residents of Pittsfield regarding the PCB issues, and including a PCB fact sheet.

- In October 1997, **IEc** initiated a dialog with individuals and non-governmental organizations regarding the development of settlement options to resolve **natural resource damage** claims associated with the Housatonic River.

-On December 16, 1997, CTDEP held a meeting with Connecticut environmental and conservation organizations to discuss PCB management history at the Site; the EPA RCRA Permit, the proposed NPL listing of the Site; the mediation (process, schedule, participants); the public participation process; Connecticut interests; and other issues raised by the participants.

-In January 1998, the EPA Regional Administrator met with Connecticut environmental and river recreational groups to discuss the proposed NPL listing of the Site.

-In January 1998, EPA **and** MADEP staff met with representatives of South Berkshire County communities to discuss the proposed NPL listing of the Site.

-In January 1998, EPA and MADEP conducted a public meeting to discuss the residential fill property issue, and to provide information and a general update on **GE/PCB-contaminated** sites in the Pittsfield area.

-In March 1998, EPA and MADEP issued an Environmental Update for the **Berkshires** which updated the community on cleanup activities and highlighted the process for residential property cleanups.

-In March 1998, EPA and MADEP conducted a public meeting to provide information about PCB-contaminated sites in the Pittsfield area.

-In March 1998, the EPA Regional Administrator conducted a series of community meetings with Pittsfield groups to discuss issues related to the Site.

-In April 1998, EPA released an Action Agenda for Environmental and Economic Recovery of Pittsfield and Berkshire County. The Action Agenda announced **EPA's plans** for remediation of contamination, restoration of natural resources, and redevelopment of property. In conjunction with releasing the Action Agenda, the EPA Regional Administrator and the MADEP Commissioner conducted community meetings regarding the Action Agenda.

-In June 1998, EPA Regional Administrator conducted a town meeting to discuss the cleanup of **PCBs** in Berkshire County.

-In June 1998, the EPA Regional Administrator and the MADEP Commissioner conducted additional community meetings regarding the Action Agenda for Environmental and **Economic** Recovery of Pittsfield and Berkshire County.

-In June 1998, EPA issued a letter from the EPA Regional Administrator and an accompanying fact sheet to Pittsfield residents **along** the Housatonic River on **the** health risks associated with exposure to **PCBs in** Housatonic River sediments

-In July 1998, EPA, MADEP, GE and the other government agencies participating in the government/GE negotiations hosted a community input session to hear from community members regarding the issues being negotiated by GE and the governments.

-On October 7, 1998, EPA released to the public a Summary of the Agreement ("agreement in principle") relating to preliminary agreements among the parties, which provided details on Cleanup of Specific Areas, **Brownfields** Redevelopment and Economic Aid, Restoration of Natural Resources, Recovery of Government Costs, Effect and Form of the Consent Decree, and **Enhanced** Public Participation.

-In October 1998, EPA and MADEP staff met with community groups to explain the agreement in principle regarding remediation, restoration and redevelopment between the **governments** and GE for the Site.

-In October 1998, the Trustees met with the public in Lee, Massachusetts in the first of several meetings to discuss the natural resource damage provisions of the agreement in principle.

-On November 4, 1998, EPA and MADEP initiated the Citizens Coordinating Council ("CCC") to provide a focus for the community to receive information and provide feedback to the agencies and GE on the various cleanup and restoration activities at the Site. The CCC is comprised of over 30 environmental, business and community leaders, representatives of the regulatory agencies, local municipalities and GE. The CCC, whose meetings are open to attendance by anyone in the public, has met monthly since November 1998 on a range of different cleanup and Site-related issues.

-In November 1998, EPA staff met with environmental groups from New York State to explain the agreement in principle for the Site.

-In December 1998, EPA and MADEP staff met with selectmen from South Berkshire County towns to explain the agreement in principle.

-In February 1999, GE received feedback from the CCC on its draft Work Plan for remediation of the Upper ½ Mile Reach of the Housatonic River, which had been submitted to the CCC members for **review**.

-In May 1999, EPA, through a legal notice, announced the scheduling of a public meeting and public comment period on a proposal for implementation of cleanup work which GE agreed to implement prior to Consent Decree entry at the Allendale School, the Upper ½ Mile Reach of the Housatonic River, and the On-Plant Consolidation Areas, with a comment period from May 5, 1999 to June 4, 1999. GE's work plans for these activities were made available to the public. In addition, EPA's notice announced that the CCC **meeting on May 12, 1999 would be** open to the public to learn more about this work and ask questions as well as to accept comments from the CCC on the proposal. EPA responded to public comments received during the May 5-June 4, 1999 public comment period in an October 1999 Responsiveness Summary.

-On June 23, 1999, EPA held a public meeting at the Allendale School to present to the public the Proposed Removal Action for the Allendale School.

-August 1999: EPA mailed to the public an update on the ongoing cleanup of the Allendale School.

-October 26, 1999: Notice of the proposed settlement was published in the Federal Register and the United States initiated a public comment period on the settlement and the draft reissued RCRA Permit. The comment period was extended twice and closed on February 23, 2000.

-October 1999 to present: The EPA has afforded numerous opportunities for public participation regarding the proposed Consent Decree:

- On October 26, 1999, EPA, the U.S. Department of Justice, the National Oceanic and Atmospheric Administration, MADEP, and the Massachusetts Attorney General's Office attended a CCC meeting to **explain** the proposed Consent Decree;

- On November 3-4, 1999, EPA and MADEP staff held a 2-day '**office** hours' session, and met informally during those **office** hours with numerous individuals or groups to explain the proposed settlement;

- November 1999 - January 2000, EPA held separate formal public meetings regarding the Consent Decree in Pittsfield, Massachusetts, Stockbridge, Massachusetts, and Kent, Connecticut. At these meetings, EPA explained the provisions of the Consent Decree, answered questions, and received additional comments from the public;

- EPA held a public hearing pursuant to 40 C.F.R. § 124.10 on the proposed Consent Decree and the proposed reissued RCRA Permit on December 2, 1999;
- The natural resource trustees held a December 9, 1999 meeting with representatives of the **environmental** community in Pittsfield;
- EPA has also endeavored to enhance public participation using many additional mechanisms, including the following:

- mailing a summary of the Consent Decree to the active EPA mailing list **for the Site**;
- placing the Consent Decree and Statement of Work for the Removal Actions Outside the River ("Statement of **Work**"), as well as the Summary of the Consent Decree, **on the** EPA web site devoted to the Site;
- placing the Consent Decree and all Appendices in four repositories in Berkshire County, as well as with the Housatonic Valley Association **office** in Connecticut, the Berkshire County Chamber of Commerce, the Housatonic River Initiative **office**, and upon later request at two **additional public repositories in Connecticut**;
- providing to requesters individual paper copies of the Consent Decree, or paper or CD-ROM copies of the Statement of Work, and
- hosting a 'Lenders Forum' on January 20, 2000, to allow property owners to hear lenders' views on the effects of the proposed Consent Decree on lending.

-In addition to these more formal mechanisms, through the last several years, EPA and DEP staff have been continually available to meet with the community informally at virtually any time.

Furthermore, the proposed Consent Decree contemplates continued substantial public participation in the activities to be performed and the decisions to be made under the Decree, as discussed below:

-The Consent Decree requires GE to cooperate with EPA and MADEP in implementing EPA's community relations plan for the Site, in providing information regarding work plans to the public, including the CCC, and in participating in public meetings (§ 213). The Consent Decree also requires all parties to the Consent Decree to coordinate and cooperate with the CCC (§ 214).

-For the Removal Actions Outside the River (as defined in the Consent Decree), GE is required by the Decree to submit to EPA for approval various work plans for the necessary pre-design investigations and the design and performance of these Removal Actions. EPA intends to seek CCC input on these work plans.

-With regard to the 1 ½ Mile Reach of the River, the Consent Decree requires EPA to consult with the CCC and to provide a period of public comment on its proposed Removal Action prior

to selecting that action. EPA has already begun the process of consultation with the CCC by holding a meeting with the CCC on March 1, 2000, at which it presented and explained its draft Engineering Evaluation and Cost Analysis ("EE/CA") of cleanup alternatives for the 1 ½ Mile Reach; and EPA will continue that consultative process as well by providing a public comment period on its proposed Removal Action, as required by the Consent Decree.

-With regard to the Rest of the River, for which the Consent Decree does not prescribe a remedy but rather sets forth a process for selecting a remedy, the Consent Decree provides substantial opportunities for public comment and input in this process. These include: (1) EPA's provision of scopes of work for its risk assessments on the Rest of the River to interested parties for review and discussion; (2) an opportunity for interested parties to submit comments and make an oral presentation to the peer review panels that will review EPA's risk assessments and modeling activities; and (3) public notice and an opportunity for public comment on EPA's proposed Remedial Action for the Rest of the River.